

PROB 12B  
(7/93)

United States District Court

for

District of New Jersey

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Jerome Andrew

Cr.: 08-CR-209

PACTS Number: 042390

Name of Sentencing Judicial Officer: The Honorable Stanley Chesler

Date of Original Sentence: 4/15/09

Original Offense: Conspiracy to Traffic in Unauthorized Access Devises and Dealing in Stolen Goods

Original Sentence: Five years Probation

Type of Supervision: Probation

Date Supervision Commenced: 4/15/09

**PETITIONING THE COURT**

[X] To modify the conditions of supervision as follows. The addition of the following special condition(s):

**LOCATION MONITORING (Two Months)**

You are to participate in the Location Monitoring Program. You shall be confined to your residence for a period of two months commencing at the direction of the U.S. Probation Office. You shall be required to be at this residence at all times except for approved absences for gainful employment, community service, religious services, medical care, educational or training programs and at other such times as may be specifically authorized by the U.S. Probation Office. You shall permit the Probation Officer access to the residence at all times and maintain a telephone at the residence. You shall comply with any other specific conditions of home confinement as the Court may require.

**CAUSE**

On November 2, 2010, the offender tested positive for cocaine. When confronted with the positive result, the offender admitted to use of cocaine as a means of self-medicating for an ongoing medical issue. The offender has entered an outpatient substance abuse treatment program commencing on November 9, 2010.

Respectfully submitted,

By: Amy J. Capozzolo  
U.S. Probation Officer

Date: 12/27/10

**THE COURT ORDERS:**

- The Modification of Conditions as Noted Above  
 The Extension of Supervision as Noted Above  
 No Action  
 Other

Signature of Judicial Officer

1/3/2011

Date

PROB 49  
(3/89)

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW JERSEY

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel,' I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows. The addition of the following special condition(s):

OTHER CONDITION

The offender to abide by a curfew via electronic monitoring for a period of 60 days.

Witness: \_\_\_\_\_  
U.S. Probation Officer  
Amy J. Capozzolo

Signed: \_\_\_\_\_  
Probationer or Supervised Releasee  
Jerome Andrew

\_\_\_\_\_  
DATE

PROB 49

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

**UNITED STATES DISTRICT COURT  
for the  
DISTRICT OF NEW JERSEY**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The offender shall comply with a curfew via electronic monitoring as directed by the Probation Department for a period of 60 days. The defendant will remain at his/her place of residence from 8:00p.m. to 8:00 a.m. The Probation Department may designate another eight hour respective time period, if the defendant's employment, education, or observance of religious services preclude the above specified times. The curfew via electronic monitoring shall commence on a date approved by the Probation Department. While serving the period of curfew via electronic monitoring, the defendant shall wear an electronic monitoring bracelet or similar tracking device and follow all requirements and procedures established for the curfew via electronic monitoring by the Probation Department and the Administrative Office of U. S. Courts. In addition, the defendant shall pay all costs, including the price of the electronic monitoring equipment, to the degree he or she is reasonably able. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay.

Witness: Claire Kinney  
U.S. Probation Officer

Signed: John A. Johnson  
Probationer or Supervised Releasee

x. 11/4/10  
DATE

UNITED STATES DISTRICT COURT  
PROBATION OFFICE  
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY  
CHIEF PROBATION OFFICER  
  
WILFREDO TORRES  
SENIOR DEPUTY CHIEF PROBATION OFFICER  
  
DEPUTY CHIEF PROBATION OFFICER  
THOMAS C. MILLER

December 28, 2010

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The Honorable Stanley R. Chesler, U.S.D.J.  
Martin Luther King, Jr. Federal Building and Courthouse  
PO Box 0999  
Newark, NJ 07102-0999

RE: United States vs. Jerome Andrew  
Dkt. No.:2:08-00209-001  
Request for Modification of Conditions

Dear Judge Chesler:

On April 15, 2009, the above-referenced was sentenced by Your Honor to five years probation for being convicted of conspiracy to defraud The United States. The Court imposed drug testing conditions and ordered a \$100 special assessment.

Due to the offender's residence, he has been supervised by the Probation Office in Eastern District of New York. On November 2, 2010, the offender submitted a urine specimen which tested positive for cocaine. When, confronted with the results, the offender admitted to using cocaine as a means of self medication for an ongoing medical issue. In addition, he stated that he wanted to attend substance abuse treatment. The offender advised he is prescribed several pain medications and is fearful he would become addicted to them. On November 9, 2010, the offender entered outpatient substance abuse treatment at Counseling Service for the Eastern District of New York.

In view of the above, we request that Andrew be sanctioned for this conduct and that the conditions of probation be modified to include two months home confinement. Please note that Andrew has agreed to the modification and has waived his right to a hearing.

Therefore, unless Your Honor considers otherwise, we ask that you review the enclosed documents and sign the Probation Form 12B authorizing the modification. We will make ourselves available should you wish to discuss the matter further.

Respectfully submitted,

CHRISTOPHER MALONEY, Chief  
U.S. Probation Officer

By: Amy J. Capozzolo  
U.S. Probation Officer

  
Enclosure